

Committee on Resources

Subcommittee on National Parks and Public Lands

Witness Statement

TESTIMONY
before
Congress of the United States
House of Representatives
Subcommittee
on
National Parks and Public Lands

of the
House Resources Committee
in support of
H.R. 2950
The Oregon Land Exchange Act of 1999
in
Rm - 1324
Longworth House Office Building
Washington D.C.
on
October 21, 1999
by
Ken Holliday
for
Clyde Holliday Family Ranches, Inc.
Testimony of Ken Holliday in support of H.R. 2950

Chairman Hansen and members of the Subcommittee on National Parks and Public Lands, my name is Ken Holliday and my family has owned and operated a cattle ranch in Grant County Oregon for over 50 years. We run over 3,500 head of cattle, manage over 5,000 acres of timber, and harvest some of the hundreds of mule deer and elk that we feed year round by managing hunter numbers. Our cattle graze on our own lands, some BLM leases and several US Forest Service Permits. We have been a participant in the Northeast Oregon Assembled Land Exchange with Clearwater Land Exchange and look forward to the benefits that this exchange will offer our operation. These lands will help to consolidate our ownership and afford us opportunities to minimize the trespass problems that we continually experience.

As a member of the Grant County Stockgrowers , Farm Bureau, and Oregon Cattlemen's Association I am aware of the lack of confidence that local landowners have in the Forest Service and BLM to make timely decisions. As a result of the inability of the federal agencies to make timely decisions many landowners are skeptical of any action that the Forest Service or BLM try to accomplish. It has gotten so bad that the agencies in our area so afraid of getting sued by the radical environmentalist that they choose not to make decisions in place of making a controversial one, even if they know it is the right decision. I have

participated in the defense of the Forest Service in the legal action against them in the "Camp Creek" case and have had to live through the Summit Fire Recovery fiasco that has cost my community millions of dollars. The "Camp Creek" case was an attempt by the radical environmentalists in our area to require all grazing management decisions to first apply for and have granted a Clean Water Permit in relation to the potential Non-point Source Pollution. The ranchers had to pick up the defense of the US Forest Service at our own expense. We ultimately prevailed in the 9th circuit in a strong defense of our position. My point is that the agencies not only are afraid to make decisions, they are even afraid to defend the decision. We believe that there has been adequate NEPA analysis on the Triangle Land Exchange as it exists and there is no need to do a third analysis.

The landowners who will receive the scattered parcels of land in these two land exchanges are looking forward to their ability to reduce the trespass problems associated with the federally owned parcels within our ownerships and the accompanying reductions in management costs for our already marginal operations. The costs associated with the identification, permitting, monitoring, and continual consultation are far greater than the costs to manage our own lands or even private leases. When we are able to manage the lands for their ecological needs rather than their ownership characteristics, not only will it be more economically efficient, but it will be advantageous to the ecosystem as well.

Although many local landowners are reluctant to support the loss of private control of the waters of the State of Oregon, most of us realize that given the land use restrictions that already exist on the North Fork and South Forks of the John Day River the trade offs are worth the loss. The ranchers have long known that water is the life blood of an operation, an ecosystem and an economy. The perception by many of us is that the private protection and management of the water and waterways is the only way to protect our ranches, our way of life and our economy. Many of us have learned that we must work with the public to have a viable management plan. Therefore, the loss of private control, which many of us believe we have already lost, is worth the trade for the control of the scattered tracts we will receive.

The ranchers in this region are aware that when the lands along the Northfork of the John Day River become public, the BLM is required, by current law and regulation, to do an environmental assessment (EA) or environmental impact statement (EIS) with the associated NEPA process, official consultation with the National Marine Fisheries Service (NMFS), US Fish and Wildlife Service (USFWS) and Compliance with the Endangered Species Act (ESA) and the Wild and Scenic River designation. This process is standard procedure in the case of new grazing leases or the use of other legally permitted management practices on newly acquired lands. Although these procedures are expensive to the lessee, we are resolved to the fact that they are important to ensure that the public's interests are protected. We are aware that the Northfork of the John Day River is habitat for several threatened and endangered species such as the Mid Columbia Steelhead, Chinook Salmon, Bull Trout which requires that any management practices require the formal consultation with the NMFS for the steelhead and salmon and USFWS for the bull trout. This is required to ensure compliance with ESA. These consultations take place as a part of the NEPA process that is required to develop an EA or EIS on these areas. This process has become a fact of life for ranchers in this day and age to survive.

I understand that the owners of the JV Ranch and other landowners who have offered lands to the government in these exchanges are running out of patience with the agencies to close these exchanges and are looking at other options for their lands. As a landowner I can sympathize with their decision. Especially considering the unreasonable time it has taken these agencies to make a decision on these exchanges.

However, if these private lands are lost to the exchanges the rest of us who are looking forward to receiving

the scattered lands within our ownerships will lose the opportunity to block up our lands that we have been wanting to do for years .

I have come here today to urge congress to pass this legislation to close these land exchanges that not only benefit the ranchers but have tremendous benefits to the fish and wildlife habitat, agency efficiency and community stability. They will also provide the public over 30,000 acres of land open for recreation that will help reduce trespass problems on the surrounding private lands..

Chairman Hansen, I want to thank you for inviting me here today. I also want to thank Congressman Walden for introducing this bill and this subcommittee for hearing my testimony.

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